

## METROPOLITAN DEVELOPMENT COMMITTEE

DATE: June 27, 2005

CALLED TO ORDER: 5:30 p.m.

ADJOURNED: 6:00p.m.

### ATTENDANCE

#### Attending Members

Dane Mahern, Chairman  
Ron Gibson  
Scott Keller  
Lance Langsford  
Angela Mansfield  
Jackie Nytes  
Marilyn Pfisterer  
Mike Speedy  
Steve Talley

#### Absent Members

### AGENDA

PROPOSAL NO. 274, 2005 -amends the Code and the Flood Control District Zoning Ordinance to update the Flood Insurance Rate Maps used to determine what property is in the floodway or floodway fringe  
“Do Pass”

Vote: 9-0

PROPOSAL NO. 242, 2005 - amends the zoning ordinance to authorize certain law enforcement officers to carry out inspections relating to the enforcement of zoning ordinances and land use regulations; to restrict locations for ~~recreational vehicle~~ parking and storage in dwelling districts; to clarify the definition of inoperable vehicle ~~and recreational vehicle~~; to clarify the fencing requirement for swimming pools and hot tubs, to eliminate screening requirements for swimming pools and hot tubs and to update state statute citations  
“Do Pass as Amended”

Vote: 9-0

## METROPOLITAN DEVELOPMENT COMMITTEE

The Metropolitan Development Committee of the City-County Council met on Monday, June 27, 2005. Chair Dane Mahern called the meeting to order at 5:30 p.m. with the following members present: Ron Gibson, Scott Keller, Lance Langsford, Angela Mansfield, Jackie Nytes, Marilyn Pfisterer, Mike Speedy, and Steve Talley.

Chair Mahern asked for consent to move Proposal No. 242, 2005 to the front of the agenda. Consent was given.

PROPOSAL NO. 242, 2005 - amends the zoning ordinance to authorize certain law enforcement officers to carry out inspections relating to the enforcement of zoning ordinances and land use regulations; to restrict locations for ~~recreational vehicle~~ parking and storage in dwelling districts; to clarify the definition of inoperable vehicle ~~and recreational vehicle~~; to clarify the fencing requirement for swimming pools and hot tubs, to eliminate screening requirements for swimming pools and hot tubs and to update state statute citations

Tammara Tracy, Department of Metropolitan Development (DMD) Principal Planner, said all portions pertaining to recreational vehicles storage and parking changes have been eliminated. She said recreational vehicles default back to the way it is currently in the existing ordinance. She said this issue will be discussed at a later date, and a task force will be generated to research it in greater detail.

Councillor Mansfield said the proposal that is actually attached to the agenda does not show all the changes that have been made. Councillor Gibson said what is attached to the agenda is the old proposal, and the committee needs to amend the proposal with the recreational vehicle language removed (Exhibit A, see Council file).

Councillor Talley moved, seconded by Councillor Gibson, to amend Proposal No. 242, 2005 per Exhibit A. The motion carried by a vote of 9-0.

Councillor Speedy asked if DMD worked with the excluded cities to get feedback on the changes to the ordinance. Ms. Tracy replied in the affirmative.

Councillor Langsford said the Town of Cumberland is in favor of this proposal and has the opportunity now to address zoning valuations. He asked if the basketball goal issue will be addressed at a later time. Ms. Tracy replied in the affirmative and said they have to allow time for public input into the process. Councillor Langsford asked what the time frame would be in addressing the basketball goal issue. Ms. Tracy said a minor amendment would take a few months to get crafted and the task force generated.

Councillor Talley said he met with the Mayor Deborah Cantwell, City of Lawrence, and she is very much in support of this proposal.

Councillor Pfisterer said the Town of Speedway initially brought this proposal up for discussion. She said it is a tremendous asset to the City to have law enforcement able to enforce the zoning code.

Councillor Gibson clarified that Proposal No. 242, 2005 authorizes the five excluded cities to have zoning enforcement officers, clarifies fencing requirement for pools and hot tubs, and updates the citations to be current with State statute.

Councillor Mansfield highlighted the definitions that were changed that affect some of the previous language found in Section 732-217 (b). She said inoperable vehicle is defined in a more specific way. Ms. Tracy said there were problems enforcing the existing ordinance because of the loose nature of the existing definitions.

Lucinda Hillmer, Vice President of the Town of Speedway said the Town of Speedway already has an officer that does nothing but code enforcement. She said for the most part the Town of Speedway and the City of Indianapolis ordinances are conflicting; therefore, these ordinances do not get enforced. She said the lack of enforcement is what lead to the discussion of this proposal.

Councillor Langsford asked where the citations go after the violation is acknowledged. Ms. Tracy said the violation will still be processed through the City Prosecutor's Office. She said training has been conducted with the excluded cities' police departments on how to document a zoning violation and forwarding the violation to the Prosecutor's Office.

Councillor Talley moved, seconded by Councillor Pfisterer, to send Proposal No. 242, 2005 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 9-0.

PROPOSAL NO. 274, 2005 -amends the Code and the Flood Control District Zoning Ordinance to update the Flood Insurance Rate Maps used to determine what property is in the floodway or floodway fringe

Ms. Tracy said the proposal amends a few words in the flood control zoning ordinance pertaining to the date. She said the date of the maps is what DMD uses to determine what property is located in the flood plain and floodway areas in Marion County. She said one year ago the Federal Emergency Management Agency (FEMA) conducted a number of public outreach meetings and presented the new maps for four creeks in Marion County. She said there was no negative feedback from the public, and the 90-day appeal process came and went after the public presentation. She said FEMA requested that the City of Indianapolis adopt the revised new maps; however, they wanted all the maps to have the same date of July 5, 2005. She said this adoption of the new dates will not change any of the standards that apply to building in a floodway or flood plain area. It will only change the maps in which DMD use to reference who is in the floodway or flood plain area.

Chair Mahern asked which four creeks will be changed. Donna Price, DMD Assistant Administrator, said the new maps are for Little Buck Creek, Buffalo, Devon, and Brookshire Creeks.

Councillor Pfisterer asked if the new maps include the acreage that is considered in the flood plain. Ms. Price said the flood plain area was restudied, and in most cases the flood plain area was reduced. She said less property and structures will be in the flood plain now. Councillor Pfisterer asked if homeowners that were in the flood plain can now reduce their home insurance. Ms. Price responded in the affirmative and said homeowners can choose to eliminate flood insurance because it is no longer a requirement for those citizens out of the flood plain area. She said when the maps are adopted those residents who had flood insurance can now get reimbursed for the flood insurance policy that is no longer needed. Councillor Pfisterer asked if there will be any notification regarding the change. Ms. Price said typically notification happens by word of mouth, and when someone is trying to get a mortgage their lender has to look this information up.

Councillor Speedy asked how FEMA notified citizens of its public hearings. Ms. Price said FEMA published notices in the paper on two different occasions. Councillor Speedy asked why there are less flood plains. Ms. Price said there were more detailed studies done, and FEMA now uses actual demographic elevations. Councillor Speedy asked how often the FEMA maps are updated. Ms. Price said it is of the discretion of FEMA.

Councillor Keller said every single property receives its own ratings; therefore, home insurance should be reduced automatically if flood insurance is not needed.

Councillor Ntyes asked if the maps used by FEMA were produced by Geographical Information Services (GIS). Ms. Price said the maps are from GIS. Councillor Ntyes said this is a good example that the investment the County is making with GIS is actually being used. Councillor Ntyes asked if there are any predictions on the wait for changes with the flood plain maps in the Pogue's Run area. Ms. Price said the Pogue's Run project is a three phase project. The first phase was to construct a detention base; the second phase was to revise the flood way and flood elevation for the upstream area; and the third phase was some bridge removals or replacements in the downstream area. She said it is now a matter of completing of the project and documenting how the project was constructed. She said FEMA has to review the information and has final approval. She said things should be finalized after a year of completion.

Councillor Pfisterer moved, seconded by Councillor Talley, to send Proposal No. 274, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 9-0.

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CONCLUSION

With no further business pending, and upon motion duly made, the Metropolitan Development Committee of the City-County Council was adjourned at 6:00 p.m.

Respectfully submitted,

Dane Mahern, Chair  
Metropolitan Development Committee

DM/as



